



Division of  
Enforcement

**COMMODITY FUTURES TRADING COMMISSION**

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July 14, 2025

**VIA ECF**

The Honorable George B. Daniels  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 1310  
New York, New York 10007

**Re: *Commodity Futures Trading Commission v. David Smothermon*  
No. 19-cv-04185 (GBD) – Status Report of Criminal Proceeding**

Dear Judge Daniels:

I am a Trial Attorney in the Division of Enforcement of the Commodity Futures Trading Commission (the “Commission”) and represent the Commission in the above captioned matter.

On behalf of both parties, I write to update the Court on the status of the criminal proceeding *United States v. David Smothermon*, 19 Cr. 382 (AKH). That criminal proceeding’s docket reflects that on May 8, 2025, the Court held a Change of Plea Hearing as to Mr. Smothermon. Mr. Smothermon withdrew his previous plea of not guilty and entered a plea of guilty to Count 1. The Court scheduled a sentencing for September 18, 2025. *See* May 8, 2025 Minute Entry.

The parties intend to file an additional Status Report within two weeks of sentencing in the parallel criminal proceeding in *United States v. David Smotherman*, 19 Cr. 382 (AKH) or within six months of the date of this letter, whichever is sooner.

Respectfully submitted,

/s/ Jonathan G. Coppola  
Jonathan G. Coppola  
Gates S. Hurand, Chief Trial Attorney

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cc: Robert Gage, Esq. (via ECF)